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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,985	11/05/2001	Newton B. White JR.	GREN.P-001-2	4151
57379 7590 08/21/2007 Oppedahl Patent Law Firm LLC - GRENEX P.O. BOX 4850 FRISCO, CO 80443-4850			EXAMINER PATEL, NIRAV B	
			ART UNIT 2135	PAPER NUMBER
			NOTIFICATION DATE 08/21/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

09/682,985

Applicant(s)

WHITE, NEWTON B.

Examiner

Nirav Patel

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3, 10 and 11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3, 10 and 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. This action is responsive to the communication filed on July 17, 2007. Claims 3, 10 and 11 are pending. Claims 1, 2 and 4-9 are canceled by the applicant and claims 3 is also amended by the applicant.

2. The Office would like to notify the Applicant that there has been a change in the Examiner to conduct the future examination and prosecution process of the currently pending application. The present application has been reassigned to the present examiner, who has thoroughly reviewed and searched the present invention.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 3, 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scanlan (US Patent No. 6,029,245) and in view of Ogdon et al (US Patent No. 6,161,137).

As per claims 3, 10 and 11:

Scanlan teaches configuring the server program/system to use port 80 (rather than the first port number 443) for communications using a protocol; receiving at port 80 at the web server system a first data packet that is formatted in accordance with the protocol;

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and responding to the first data packet with a second data packet that is formatted in accordance with the protocol [Fig. 1, 2, col. 1 lines 46-60, col. 3 lines 1-6, Fig. 4].

Scanlan teaches the port 80 to communicate with the server using the various protocols [Fig. 1, 2, col. 1 lines 46-60, col. 3 lines 1-6, Fig. 4].

Ogdon teaches the port 80 to communicate with the server using the various protocols selected from the group consisting of: secure socket layer, secure sockets layer, SSL, secure hypertext transfer protocol, and HTTPS [col. 16 lines 14-31].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Ogdon with Scanlan, since one would have been motivated to provide various kinds of communication security [Ogdon, col. 14 lines 40-41].

Response to Amendment

4. Applicant's amendment filed on July 17, 2007 has been fully considered. However, upon further consideration and thorough search, a new ground(s) of rejection is based on Scanlan (US Patent No. 6,029,245) and in view of Ogdon et al (US Patent No. 6,161,137). See rejections above.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Green et al (US 5913024) --- Secure server utilizing separate protocol stacks

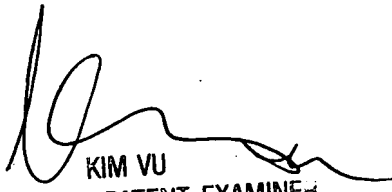
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nirav Patel whose telephone number is 571-272-5936. The examiner can normally be reached on 8 am - 4:30 pm (M-F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NBP

8/13/07


KIM VU
SUPERVISORY PATENT EXAMINER
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